

City of Glendale Council Meeting Agenda

February 28, 2012 – 7:00 p.m.

City Council meetings are telecast live at 7:00 p.m. on the second and fourth Tuesday of the month. Repeat broadcasts are telecast the second and fourth week of the month – Wednesday at 2:30 p.m., Thursday at 8:00 a.m., Friday at 8:00 a.m., Saturday at 2:00 p.m., Sunday at 9:00 a.m. and Monday at 1:30 p.m. on Glendale Channel 11.

Welcome!

We are glad you have chosen to attend this City Council meeting. We welcome your interest and encourage you to attend again.

Form of Government

The City of Glendale has a Council-Manager form of government. Legislative policy is set by the elected Council and administered by the Council-appointed City Manager.

The City Council consists of a Mayor and six Councilmembers. The Mayor is elected every four years by voters city-wide. Councilmembers hold four-year terms with three seats decided every two years. Each of the six Councilmembers represent one of six electoral districts and are elected by the voters of their respective districts (see map on back).

Council Meeting Schedule

The Mayor and City Council hold Council meetings to take official action two times each month. These meetings are held on the second and fourth Tuesday of the month at 7:00 p.m. Regular meetings are held in the Council Chambers, Glendale Municipal Office Complex, 5850 W. Glendale Avenue.

Agendas may be obtained after 4:00 p.m. on the Friday before a Council meeting, at the City Clerk's Office in the Municipal Complex. The agenda and supporting documents are posted to the city's Internet web site, www.glendaleaz.com

Questions or Comments

If you have any questions about the agenda, please call the City Manager's Office at (623) 930-2870. If you have a concern you would like to discuss with your District Councilmember, please call (623) 930-2249, Monday - Friday, 8:00 a.m. – 5:00 p.m.

Public Rules of Conduct

The presiding officer shall keep control of the meeting and require the speakers and audience to refrain from abusive or profane remarks, disruptive outbursts, applause, protests, or other conduct which disrupts or interferes with the orderly conduct of the business of the meeting. Personal attacks on Councilmembers, city staff, or members of the public are not allowed. It is inappropriate to utilize the public hearing or other agenda item for purposes of making political speeches, including threats of political action. Engaging in such conduct, and failing to cease such conduct upon request of the presiding officer will be grounds for ending a speaker's time at the podium or for removal of any disruptive person from the meeting room, at the direction of the presiding officer.

How to Participate

The Glendale City Council values citizen comments and input. If you wish to speak on a matter concerning Glendale city government that is not on the printed agenda, please fill out a blue Citizen Comments Card located at the back of the Council Chambers and give it to the City Clerk before the meeting starts. The Mayor will call your name when the Citizen Comments portion of the agenda is reached. Because these matters are not listed on the posted agenda, the City Council may not act on the information during the meeting but may refer the matter to the City Manager for follow-up.

Public Hearings are also held on certain agenda items such as zoning cases, liquor license applications and use permits. If you wish to speak or provide written comments about a public hearing item on tonight's agenda, please fill out a gold Public Hearing Speakers Card located at the back of the Council Chambers and give it to the City Clerk before the meeting starts. The Mayor will call your name when the public hearing on the item has been opened.

When speaking at the Podium, please state your name and the city in which you reside. If you reside in the City of Glendale, please state the Council District you live in and present your comments in five minutes or less.



**** For special accommodations or interpreter assistance, please contact the City Manager's Office at (623) 930- 2870 at least one business day prior to this meeting. TDD (623) 930-2197.**

**** Para acomodacion especial o traductor de español, por favor llame a la oficina del adminsitrador del ayuntamiento de Glendale, al (623) 930-2870 un día hábil antes de la fecha de la junta.**

Councilmembers

Norma S. Alvarez - Ocotillo District
H. Philip Lieberman - Cactus District
Manuel D. Martinez - Cholla District
Joyce V. Clark - Yucca District
Yvonne J. Knaack – Barrel District



MAYOR ELAINE M. SCRUGGS

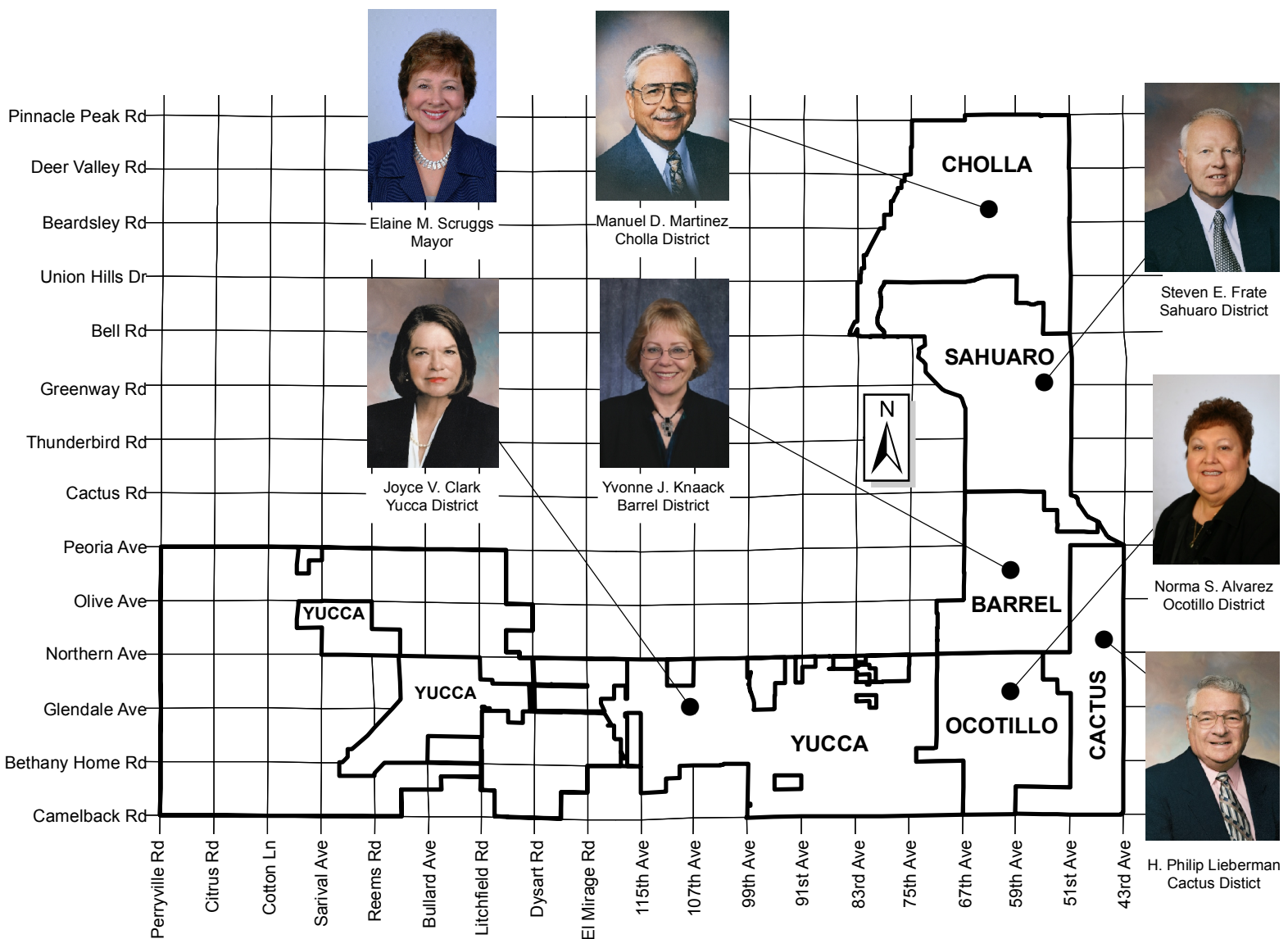
Vice Mayor Steven E. Frate - Sahuaro District

Appointed City Staff

Ed Beasley – City Manager
Craig Tindall – City Attorney
Pamela Hanna – City Clerk
Elizabeth Finn – City Judge



Council District Boundaries





GLENDALE CITY COUNCIL MEETING
Council Chambers
5850 West Glendale Avenue
February 28, 2012
7:00 p.m.

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

[APPROVAL OF THE MINUTES OF February 14, 2012](#)

BOARDS, COMMISSIONS AND OTHER BODIES

[BOARDS, COMMISSIONS AND OTHER BODIES](#)

PRESENTED BY: Councilmember Joyce Clark

CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

1. [LIQUOR LICENSE NO. 5-3457, CIRCLE K STORE #3441](#)

PRESENTED BY: Susan Matousek, Revenue Administrator

CONSENT RESOLUTIONS

2. [TRANSPORTATION ENHANCEMENT GRANT](#)

PRESENTED BY: Jamsheed Mehta, AICP, Executive Director, Transportation Services

RESOLUTION: 4546

3. [INTERGOVERNMENTAL AGREEMENT WITH SALT RIVER PROJECT FOR ELECTRICAL SERVICE AT 67TH AND MARYLAND AVENUES](#)

PRESENTED BY: Gregory Rodzenko, P.E., Acting City Engineer

RESOLUTION: 4547

4. [RIGHT-OF-WAY LICENSE AGREEMENT WITH SALT RIVER PROJECT FOR 95TH AVENUE, NORTH OF MISSOURI AVENUE](#)

PRESENTED BY: Gregory Rodzenko, P.E., Acting City Engineer

RESOLUTION: 4548

RESOLUTIONS

5. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PEORIA FOR SOLID WASTE DISPOSAL SERVICES](#)

PRESENTED BY: Stuart Kent, Executive Director, Public Works

RESOLUTION: 4549

6. [DEVELOPMENT AGREEMENT FOR MULTI-FAMILY HOUSING](#)

PRESENTED BY: Jim Colson, Deputy City Manager

RESOLUTION: 4550

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

CITIZEN COMMENTS

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COUNCIL COMMENTS AND SUGGESTIONS

ADJOURNMENT

Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (i) discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- (ii) discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03 (A)(2));
- (iii) discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- (iv) discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (A)(4));
- (v) discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

CALL TO ORDER

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

APPROVAL OF THE MINUTES OF February 14, 2012

BOARDS, COMMISSIONS AND OTHER BODIES

BOARDS, COMMISSIONS AND OTHER BODIES

Purpose: This is a request for City Council to approve the recommended appointments to the following boards, commissions and other bodies that have a vacancy or expired term and for the Mayor to administer the Oath of Office to those appointees in attendance.

Board of Adjustment

Jeff Blake – Chair	Mayoral	Appointment	02/28/2012	06/30/2012
Cathy Cheshier – Vice Chair	Cholla	Appointment	02/28/2012	06/30/2012

Citizens Bicycle Advisory Committee

Garrett Simpson – Vice Chair	Barrel	Reappointment	03/05/2012	03/05/2013
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Commission on Persons with Disabilities

Joan Brainard Pinson	Barrel	Reappointment	02/28/2012	02/27/2014
Karin Kellas	Barrel	Reappointment	02/28/2012	02/27/2014
Shirley Galvez – Chair	Yucca	Appointment	02/28/2012	02/26/2013
Raymond Yaeggi – Vice Chair	Cactus	Appointment	02/28/2012	03/22/2013

Parks and Recreation Advisory Commission

Robert Portillo – Vice Chair	Yucca	Appointment	02/28/2012	02/26/2013
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Recommendation: Make appointments to the boards, commissions and other bodies and administer the Oaths of Office.

CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. If you would like to comment on an item on the consent agenda, please come to the podium and state your name, address and item you wish to discuss.

1. [LIQUOR LICENSE NO. 5-3457, CIRCLE K STORE #3441](#)

Purpose: This is a request for City Council to approve a location-to-location transferable series 9 (Liquor Store - All Liquor) license for Circle K Store #3441 located at 4303 West Glendale

Avenue. The Arizona Department of Liquor Licenses and Control application (No. 09070190) was submitted by Kim Kenneth Kwiatkowski.

Background: The location of the establishment is 4303 West Glendale Avenue in the Cactus District. The property is zoned C-3 (Heavy Commercial). The population density within a one-mile radius is 24,403. This series 9 is a location-to location transferrable license, therefore, the approval of this license will increase the number of liquor licenses in the area by one. The current number of liquor licenses within a one-mile radius is as listed below.

Series	Type	Quantity
06	Bar - All Liquor	3
07	Bar - Beer and Wine	1
09	Liquor Store - All Liquor	4
10	Liquor Store - Beer and Wine	9
12	Restaurant	3
	Total	20

The City of Glendale Planning, Police, and Fire Departments have reviewed the application and determined that it meets all technical requirements.

Public Input: No public protests were received during the 20-day posting period.

Recommendation: Based on information provided under the background, it is staff's recommendation to forward this application to the Arizona Department of Liquor Licenses and Control with a recommendation of approval.

CONSENT RESOLUTIONS

2. [TRANSPORTATION ENHANCEMENT GRANT](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the application for, and acceptance of, a 2012 Transportation Enhancement grant from the Arizona Department of Transportation (ADOT). Grant funds will be used to design and construct a one-quarter-mile segment of the multi-use pathway along New River.

Background: Transportation Enhancement is a federal program that provides funding for design and construction of pedestrian and bike trails. ADOT administers this federal program and requires a resolution from the applicant city to ensure that, if approved, the city will be responsible for the matching funds, design and construction of the project in a timely manner.

Upon Council approval, a Transportation Enhancement grant application will be submitted to ADOT in order to secure funding for design and construction of a one-quarter-mile segment of the multi-use pathway in the area of 75th Avenue and Hillcrest Boulevard. This missing segment will connect two existing multi-use pathways on the east bank of New River, and will complete Glendale's portion of the New River Pathway. In addition to the concrete pathway, two bridges

will be constructed over existing drainage canals at either end of this segment, and an at-grade connection to Hillcrest Boulevard will complete the path.

Community Benefit: This project will allow expanded use of planned and existing New River multi-use pathways in Glendale, and provide continuity of pathways throughout the West Valley and central Phoenix.

Public Input: This project is included in the Glendale Onboard Transportation Program and the Glendale Transportation Plan. If selected for Transportation Enhancement funding, project-specific informational public meetings will be held for the citizens and businesses in the area.

Budget Impacts & Costs: The grant request totals \$745,201. There is a \$45,044 financial match required. Funds for the financial match and ongoing maintenance will be funded in the GO Transportation Program.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
X					\$745,201

Account Name, Fund, Account and Line Item Number:

A specific project account will be established in Fund 1650, the Transportation Services grant fund, once the grant agreement is formally executed.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the application for, and acceptance of, a 2012 Transportation Enhancement Grant from the Arizona Department of Transportation to design and construct a one-quarter-mile segment of the multi-use pathway along New River .

3. [INTERGOVERNMENTAL AGREEMENT WITH SALT RIVER PROJECT FOR ELECTRICAL SERVICE AT 67TH AND MARYLAND AVENUES](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with Salt River Project (SRP) in the amount of \$2,650 for the design, construction and installation of electrical facilities that provide power to the traffic signal controller at the intersection of 67th and Maryland Avenues.

Background: During recent capital improvement projects on 67th Avenue from Camelback Road to Grand Avenue, SRP overhead power distribution lines and facilities were relocated underground to accommodate road improvements. The relocation of these facilities has provided the opportunity to upgrade the existing electrical service to power the traffic signal controller at the intersection of 67th and Maryland Avenues. The minimum design fee charged by SRP is \$2,650; the scope of this project falls within that fee structure.

Budget Impacts & Costs: Funding is available in the FY 2011-12 capital improvement plan. There are no additional operations and maintenance expenses associated with this project.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
	X		X		\$2,650

Account Name, Fund, Account and Line Item Number:

67th Avenue – Camelback to Grand, Account No. 2000-68909-550800, \$2,650

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with Salt River Project in the amount of \$2,650 for the design, construction and installation of electrical facilities that provide power to the traffic signal controller at the intersection of 67th and Maryland Avenues.

4. [RIGHT-OF-WAY LICENSE AGREEMENT WITH SALT RIVER PROJECT FOR 95TH AVENUE, NORTH OF MISSOURI AVENUE](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a right-of-way license agreement with Salt River Project (SRP) for use of 95th Avenue between Missouri Avenue and the north property line of the Pendergast West subdivision (approximately 280 feet north of San Miguel Avenue).

Background: SRP is installing a new irrigation pipeline within 95th Avenue. In order to preserve rights for the presence of city facilities and continued public use of the road, SRP is granting a right-of-way license to the city over this segment of 95th Avenue.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into a right-of-way license agreement with Salt River Project for use of 95th Avenue between Missouri Avenue and the north property line of the Pendergast West subdivision (approximately 280 feet north of San Miguel Avenue).

RESOLUTIONS

5. [INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PEORIA FOR SOLID WASTE DISPOSAL SERVICES](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement (IGA) with the City of Peoria (Peoria) for solid waste disposal services.

Background: In an effort to seek new opportunities, the City of Glendale is offering solid waste disposal services to Peoria through an IGA. The agreement is mutually beneficial to both parties in that it secures tonnage with guaranteed annual revenue for the Glendale landfill, and it provides Peoria with an alternate disposal location for greater flexibility and efficiencies while routing solid waste collection vehicles. Additionally, the proposed annual tonnage will have no significant impact on the life of the landfill with current projections at close to forty years.

Peoria proposes to deliver 5,000 to 10,000 tons of solid waste each year to the Glendale landfill. For this tonnage amount, Peoria will pay a disposal rate of \$25.00 per ton through June 30, 2012. The rate will be adjusted on July 1, 2012 through June 30, 2013 to \$26.50 per ton, and to \$28.00 for the period of July 1, 2013 through June 30, 2014. The pricing terms include a discounted rate of \$3.50 per ton less than the disposal rates listed above for disposing of 30,000 tons or greater at the Glendale landfill during the term of the agreement. Landfill disposal rates are determined and evaluated annually with assistance from a solid waste rate model provided by R.W. Beck, a solid waste management consultant, and the proposed Peoria IGA disposal rates are consistent with the rate model.

Upon Council approval, the IGA will become effective immediately and will continue thereafter until June 30, 2014. The agreement contains an option that will permit the City Manager, at his discretion, to extend the term for two additional three-year periods, on the terms and conditions acceptable to both Glendale and Peoria. The Peoria City Council approved this agreement on January 3, 2012.

Community Benefit: The waste received from Peoria will result in increased revenues and will maintain low cost solid waste disposal operations for Glendale residents.

Budget Impacts & Costs: Gross revenue from landfill tonnage received through this agreement is projected to be approximately \$125,000 in FY 2011-12, and the revenue will be deposited into Landfill Revenue Account 2440-02440-480600.

Recommendation: Waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with the city of Peoria for solid waste disposal services; and further authorizing the City Manager, at his discretion, to extend the term in accordance with the provisions of the intergovernmental agreement.

6. [DEVELOPMENT AGREEMENT FOR MULTI-FAMILY HOUSING](#)

Purpose: This is a request for City Council to adopt a resolution authorizing the City Manager to enter into a Development Agreement for Multi-Family Housing with the Norwood Village Apartments, LLC, and Gorman & Company, Inc., (Gorman) to utilize Neighborhood Stabilization (NSP) III funding for the acquisition and rehabilitation of Norwood Village Apartments, a 115 unit multi-family foreclosed property, located at 6738 North 45th Avenue.

Background: In November 2011, the City of Glendale conducted a request for proposal process, which resulted in Gorman being selected for \$1,800,000 of NSP III funding. The total project is anticipated to represent an investment of \$16,900,00 in the Centerline Area.

Gorman has developed a portfolio of over 50 properties in six states, representing over 3,500 housing units, many of which involved acquisition and rehabilitation. In 2010, Gorman partnered with the non-profit, Arizona Bridge to Independent Living (ABIL), on the development of the Glendale Enterprise Lofts located at 6839 North 63rd Avenue. ABIL will be used as a consultant during the rehabilitation to consult on handicap accessibility of the units.

Gorman will acquire Norwood Village Apartments, a garden-style community built in 1971, which is located on 5.19 acres and will rehabilitate 115 multi-family units. This property was foreclosed upon by Fannie Mae in the recent past. Gorman will partner with ABIL and Catholic Charities to provide accessible units and onsite services for families. These services include before-and-after school programs, computer classes, financial literacy, and parenting classes to residents.

Previous Council/Staff Actions: In March 2011, Council formally adopted an amendment to the Community Revitalization Annual Action Plan accepting the NSP III funds from the U.S. Department of Housing and Urban Development (HUD) and allocated \$1,800,000 to the acquisition and rehabilitation of foreclosed multi-family properties, targeting the Centerline Area.

Community Benefit: The acquisition and redevelopment of this foreclosed multi-family property will help stabilize the neighborhood and improve the quality of life for the residents of the existing apartment units. The units will be completely rehabilitated and additional onsite amenities will provide the families with a community room, onsite playground, and interior and exterior modernization of the units. Some two bedroom units will be converted to accessible three bedroom units, addressing an unmet housing need as identified by Gorman through a recent marketing study.

Public Input: HUD requires cities to solicit comments through their public participation plan. On December 16, 2010, during a public meeting, the Community Development Advisory Committee (CDAC) reviewed and approved the eligibility of the NSP III funding. Public Notice was published in the Glendale Star on December 23, 2010 and December 30, 2010 informing the public about the amendment to the Community Revitalization Annual Action Plan, the five locations in which to view the amendment, and the 15-day public comment period.

The public comment period began on January 7, 2011 and ended January 24, 2011. On January 19, 2011, CDAC conducted a public hearing on the Annual Action Plan to accept the NSP III funds, and the proposed eligible uses. No public comments were received.

Budget Impacts & Costs: This development will be publicly and privately funded. Stimulus funding is being provided through NSP III with the rest of the funding being comprised from Low Income Housing Tax Credits, and other private financing. The anticipated project budget is \$16,900,000. The NSP III funding portion, which is administered by the City of Glendale, is \$1,800,000.

Grants	Capital Expense	One-Time Cost	Budgeted	Unbudgeted	Total
			X		\$1,800,000

Account Name, Fund, Account and Line Item Number:

Neighborhood Stabilization Program III, Account No. 1311-30910-518200, \$1,800,000

Recommendation: Waive reading beyond title and adopt a resolution authorizing the City Manager to enter into a Development Agreement for Multi-Family Housing Development with Norwood Village Apartments, LLC, and Gorman & Company, Inc.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

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- (vi) discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).